

## REMARKS

### Claim Amendments

Claims 1 and 5 have been amended to recite the language "wherein said field oxide layer electrically isolates said metal plug contact from said contact region." Claims 9 and 13 have been amended to recite the term "electrically". The Applicants submit that the amendments to claims 9 and 13 do not narrow the claims, but only make explicit that which is implicit.

### Claim Rejections

#### Claims 1-8 and 17-18

In the Official Action, the Examiner rejects claims 1-8 and 17-18 under 35 U.S.C. 102(e) as being anticipated by Deboer et al. The Applicants respectfully disagree for the reasons discussed below.

Claims 1 and 5 have been amended to recite the language "wherein said field oxide layer electrically isolates said metal plug contact from said contact region." In the Official Action, the Examiner asserts that Fig. 5 of Deboer discloses a field oxide layer 16 and a metal plug contact 39. The Examiner has not explicitly referred to a contact region in Fig. 5, but it is the Applicants' belief the Examiner had intended to refer to regions 18a, as shown in Fig. 6 of Deboer. However, as shown in Fig. 5, the field oxide layer does not electrically isolate the metal plug contact from the contact region. Deboer clearly discloses the metal plug contact 39 in contact with the contact region. -

It is therefore submitted that claims 1 and 5 are patentable over Deboer. Since claims 2-4, 6-8, and 17-18 are directly or indirectly dependent on claims 1 and 5, claims 2-4, 6-8, and 17-18 are patentable at least by virtue of their dependency on an allowable base claim.

Claims 9-16,19-20, and 23-24

In the Official Action, the Examiner rejects claims 9-16, 19-20, and 23-24 under 35 U.S.C. 102(b) as being anticipated by Chuang. The Applicants respectfully disagree for the reasons discussed below.

Claims 9 and 13 have been amended to recite “wherein said metal plug contact is electrically isolated from said contact region.” In the Official Action, the Examiner asserts that Fig. 1C of Chuang discloses a field oxide layer 104, a metal plug contact 124a, and a contact region. The Examiner has not provided a specific reference numeral to identify the contact region, however, it is the Applicants’ belief the Examiner had intended to refer to the regions 116a and 116b. Metal plug contact 124a is connected to the gate 108 via a silicide layer 120c as shown in Fig. 1C. However, as described at col. 1, lines 40-43, and shown in Fig. 1C, a metal layer 126 is used to electrically connect the gate 108 with the source 116b and pick-up region 118, via metal plug contacts 124a, 124b, 124c. As such, Chuang does not disclose a metal plug contact which is electrically isolated from the contact region as required by claims 9 and 13.

It is therefore submitted that claims 9 and 13 are patentable over Chuang. Since claims 10-12, 14-16, 19-20, and 23 -24 are directly or indirectly dependent on claims 9 and 13, claims 10- 12, 14-16, 19-20, and 23-24 are patentable at least by virtue of their dependency on an allowable base claim.

In addition, the Applicants submit that claims 23-24 on their own are patentable over Chuang. Claims 23-24 each recite “wherein said metal plug contact contacts said field oxide layer.” The Examiner in the Official Action asserts that Fig. 1C discloses such a limitation. With reference to claim 9, the Examiner asserts that Fig. 1C of Chuang discloses a field oxide layer 104 and a metal plug contact 124a. However, as clearly shown in Fig. 1C, the metal plug contact 124a does not contact the field oxide layer 104. Furthermore, metal plug contacts 124b and 124c do not contact the field oxide layer 104. As such, Chuang does not disclose the limitation of “wherein said metal plug contact contacts said field oxide layer” as required by claims 23 and 24.

**Conclusion**

The Applicants respectfully submit that in light of the remarks above, all previous rejections of the claims have been overcome. Therefore, the Applicants submit that the claims are allowable over the prior art that has been cited. Favorable consideration and prompt allowance are earnestly solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

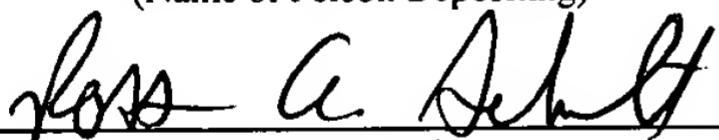
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(Date of Deposit)

Ross A. Schmitt

(Name of Person Depositing)



(Signature)

7-18-2003

(Date)

Respectfully submitted,



Ross A. Schmitt  
Attorney for Applicants  
Reg. No. 42,529  
LADAS & PARRY  
5670 Wilshire Boulevard, Suite 2100  
Los Angeles, California 90036  
(323) 934-2300